IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

ARBITRATION PETITION NO.117 OF 2005

and

ARBITRATION PETITION NO.118 OF 2005

KEC International Limited. ... Petitioner.

vs.

Grid Corporation of Orissa Limited & Ors. ... Respondents.

Mr.V.V.Tulzapurkar with Ms.Alpana Ghone i/b. DSK Legal, for Petitioner.

Mr.A.G.Damale, for Respondents.

CORAM: D.K.DESHMUKH,J.

DATED: 6th June,2005

P.C.:-

1. Parties are agreed that for disposing of these petitions in following terms, no reasons are necessary to be recorded.

2. Parties are agreed that the petitioner and the first respondent have nominated their representatives on the Arbitral Tribunal, however, constitution

of Arbitral Tribunal is not yet completed.

3. The petitioner shall be at liberty to apply for interim reliefs which are sought in these petitions, before the Arbitral Tribunal after its constitution. The ad-interim order made in these petitions which is presently operating, shall continue to operate, and it will cease to operate on expiry of period of six weeks from the date on which the constitution of Arbitral Tribunal is completed. Parties shall be at liberty to apply for any interim relief that may be necessary before the Arbitral Tribunal.

4. On petitioner addressing a letter to respondent no.1 to take over the site together with the material that is lying on the site belonging to the respondent no.1 , the respondent no.1 shall within a period of four weeks from receipt of the letter, take over the site and material. The parties shall be at liberty to apply to the Arbitral Tribunal for appropriate orders in this regard also, if necessary.

5. The petitioner is directed to keep the Bank Guarantee in relation to which the ad-interim order is made, valid till the ad-interim order continues to operate.

6. So far as Arbitration Petition no.118 of 2005 is concerned, the respondent no.1 shall permit the petitioner to take away the equipments belonging to the petitioner that may be lying on the site within a period of Four

weeks from today. The parties shall be at liberty to apply before the Arbitral Tribunal seeking any further orders in this regard also.

7. All the contentions of both the parties are kept open to be raised before the Arbitral Tribunal.

Both the petitions are disposed of.